

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:02CR3204
)
Plaintiff,)
)
vs.)
)
JAMES MALONE,)
)
Defendant.)

ORDER

IT IS ORDERED that:

- (1) The government's oral request for Rule 35 hearing is granted.
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 29) has been set before the undersigned United States district judge on Tuesday, September 12, 2006, at 2:30 p.m., in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) At the request of the defendant through his counsel, the defendant will participate in the hearing by telephone. Defense counsel will participate in the hearing by telephone as well.
- (4) The Marshal is directed not to return the defendant to the district.
- (5) The defendant is held to have waived his right to be present.

September 8, 2006.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge